

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ROBERTSON FIRE PROTECTION )  
DISTRICT, )  
                              )  
Plaintiff, )  
                              )  
v.                         )                      Case No. 4:24CV26 JAR  
                              )  
DONALD D. MINER, )  
                              )  
Defendant.                )

**ORDER REFERRING CASE TO  
ALTERNATIVE DISPUTE RESOLUTION**

The Court finds that this cause is appropriate for referral to an alternative form of dispute resolution as provided by the local rules of this Court.

**IT IS HEREBY ORDERED** that:

- (a) Referral to ADR: This case is referred to **Mediation**.
- (b) Conduct of ADR Conference(s): The ADR conference(s) shall be conducted in accordance with the procedures outlined in E.D. Mo. L.R. 6.01 – 6.05.
- (c) Scheduling ADR Conference(s): The ADR conference(s) shall be concluded by **October 1, 2024**, unless extended by order of the Court. The ADR conference(s) may be conducted at any location agreed to by the parties, counsel, and the assigned neutral. If the parties wish to conduct the conference in a designated space in the Courthouse, counsel should contact the Clerk's office to reserve space and determine whether any restrictions related to the COVID-19 pandemic are in place at that time.
- (d) General Rules Governing ADR Conference(s): The ADR procedures are defined and

shall be conducted in accordance with E.D. Mo. L.R. 6.01-6.05. The following Orders are entered:

(1) Designation of Lead Counsel: Plaintiff's counsel, Elkin Leland Kistner, is designated as lead counsel and shall be responsible for working with the parties and the neutral to coordinate an agreeable date, time, and, if necessary, location for the initial ADR conference.

(2) Responsibilities of Lead Counsel: Not later than September 17, 2024, lead counsel shall notify the clerk of the agreed choice of neutral selected by the parties and the date, time and location of the initial ADR Conference (see Designation of Neutral/ADR Conference Report form, <www.moed.uscourts.gov>, ADR, forms). Upon selection of the neutral, lead counsel shall send a copy of this order to the neutral.

(3) Authority of the Neutral: The neutral shall have authority to consult and conduct conferences and private caucuses with counsel, individual parties, corporate representatives and claims professionals, to suggest alternatives, analyze issues and positions, question perceptions, stimulate negotiations, and keep order.

(4) Compliance with Deadlines: All deadlines must be complied with in a timely fashion and appropriate forms filed with the Clerk of the District Court. If a deadline cannot be met, the designated lead counsel shall **file a motion requesting an extension of the deadline** prior to the expiration of that deadline. Noncompliance of any deadline set herein by this Court may result in the imposition of sanctions to the appropriate party or parties.

**Nothing in this Order alters the Case Management Order previously entered in this case. All deadlines set forth in that Case Management Order remain in full force and effect.**

Dated this 16th day of July, 2024.

  
\_\_\_\_\_  
**JOHN A. ROSS**  
**UNITED STATES DISTRICT JUDGE**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ROBERTSON FIRE PROTECTION )  
DISTRICT, )  
                              )  
Plaintiff, )  
                              )  
v.                         )              Case No. 4:24CV26 JAR  
                              )  
DONALD D. MINER, )  
                              )  
Defendant. )

**DESIGNATION OF NEUTRAL BY PARTIES  
AND  
ADR CONFERENCE REPORT**

Pursuant to the Court's Order Referring Case to ADR for **Mediation**, dated July 16, 2024, the parties hereby designate by agreement the following individual from the Court's list of Certified Neutrals to serve as Neutral in the above-styled action.

Name of Neutral/Firm: \_\_\_\_\_

Firm Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**The attorneys of record in this case are:**

Lead Counsel: \_\_\_\_\_

Firm Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Other Counsel: \_\_\_\_\_

Firm Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**The completion deadline for this ADR referral is October 1, 2024,**

The parties, in consultation with the assigned neutral, hereby designate by agreement the following date, time, and location of the initial ADR conference:

Date of Conference: \_\_\_\_\_, 20\_\_\_\_

Time of Conference: \_\_\_\_\_ a.m./p.m.

Location of Conference (Check One):

Designated Space at: Eastern District of Missouri  
Thomas F. Eagleton Courthouse  
111 South 10th Street  
St. Louis, MO 63102

Other Location: \_\_\_\_\_

All parties and the assigned neutral have been given at least fourteen (14) days' notice of the above-dated conference. The neutral shall schedule any additional conference(s) in consultation with the parties.

We, the undersigned parties to this action, declare that this designation is both consensual and mutual.

Date \_\_\_\_\_

Signature of Plaintiff(s)

Signature of Defendant(s)